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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,962	02/10/2006	Ho Cheol Kwon	3449-0593PUS1	2055
2292	7590	11/06/2007		
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER RAMIREZ, RAMON O	
			ART UNIT	PAPER NUMBER
			3632	
			NOTIFICATION DATE	DELIVERY MODE
			11/06/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

**Office Action Summary**

Application No.

10/567,962

Applicant(s)

KWON ET AL.

Examiner

RAMON O. RAMIREZ

Art Unit

3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-20 is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

***Detailed Action***

This the second Office Action corresponding to amendment filed Sep 24, 2007.  
The application contains 20 claims. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Claim Rejections - 35 USC § 102***

Claims 1-3, 6 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Martin (Pat No 2,893,164).

The patent to Martin discloses a device comprising a leg (11), a stopper base (contacting the ground), and a plurality of stoppers (15) having a mount hollow (16) and a protrusion (17) at the lower end.

Claim 4 is rejected under 35 U.S.C. 102(b) as being anticipated by Rees (Re 20,925). Rees discloses a device comprising a leg (11), a stopper base (14) and a plurality of stoppers (15) having a hole (18).

***Claim Rejections - 35 USC § 103***

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin. The material from which the device is being made, and the method from which the device is made are considered as obvious matter of engineering choice having no patentable significance.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Martin in view of Sauber (Pat No 4,073,454). The patent to Sauber discloses a leg support having reinforcement ribs (24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the device shown by Martin with reinforcement ribs as shown by Sauber to increase the strength of the stoppers.

Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin in view of Saperstein et al. (Pat No 5,345,631). The patent to Saperstein et al. discloses at 87 an anti-slip means secured at the end of a stopper base. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the device shown by Martin with an anti slip means as shown by Saperstein et al. to increase the stability of the leg against the ground. As to claims 12 and 13, the material from which the device is being made is considered as a matter of engineering choice with no patentable significance.

#### ***Allowable Subject Matter***

Claims 14-20 are allowed.

#### ***Response to Arguments***

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nichthausen (2,366,867) and Keshavjee (6,540,190) show another devices of interest.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAMON O. RAMIREZ whose telephone number is (571) 272-6821. The examiner is usually available Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor BRIAN GLESSNER can be reached on (571) 272-6843.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A shortened period for response to this Office Action expires THREE MONTHS  
from the mailing date of this action.

ROR  
October 29, 2007

  
RAMON O. RAMIREZ  
Primary Examiner  
Art Unit 3632